IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10207 of 1994

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

DEVINDRA PRAVINCHANDRA MEHTA

Versus

STATE OF GUJARAT & ORS.

Appearance:

MR RK MISHRA for the Petitioner
MR SIRAJ GORI, AGP for Respondent No. 1
Respondents Nos. 2-3 served

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 26/02/2003

ORAL JUDGEMENT

This is a petition by a primary school teacher.

It is the claim of the petitioner that she has been appointed as Assistant Teacher on 1st November, 1977 by the respondent no.4 Trust. The respondent No.4 Trust runs and manages a primary school and receives grant-in-aid from the State Government. It is the complaint of the petitioner that since 1st April, 1991 she has not been paid her salary.

Under order dated 1st April, 1995, this Court (Coram: H.L.Gokhale, J.) had directed an inquiry to be made in the complaint made by the petitioner and had further directed the concerned authority to pay the salary to the petitioner.

The learned advocate Mr.Mishra states that pursuant to the said order dated 1st April, 1995, the petitioner has been receiving her salary regularly directly from the Government. According to Mr.Mishra, the cause of action, therefore, does not survive. He, however, states that if at all any salary of the petitioner has remained unpaid she shall approach the Primary Education Tribunal for remittance of such salary. In the circumstances, Mr.Mishra seeks leave to withdraw this petition. Leave is granted. Petition is disposed of as withdrawn. Rule is discharged. Interim relief stands vacated.

(Ms. R.M. Doshit, J.)

/sakkaf